
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 534 (as discharged)
Sponsor: Senator Michael J. Bouchard
Committee: Transportation and Tourism

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act's provisions on historical boating records as well as provisions on application for a title for watercraft and off-road recreation vehicles (ORVs) and snowmobile registration to require the Secretary of State to establish a computerized central file, which would have to be interfaced with the Law Enforcement Information Network and would include information contained on application forms for these documents. The bill also would regulate the release of this information by doing the following:

- Permitting the Secretary of State to provide a commercial look-up service of records maintained under the Act, and to charge a fee for each record looked up.
- Prohibiting the disclosure of the central file or file records to a nongovernmental person or entity unless the purchaser paid a prescribed fee, furnished proof of identity, and certified that the information would be used for purposes permitted under the bill.
- Requiring the Secretary of State to disclose the record's personal information to carry out the purposes of a "specified Federal law". ("Personal information" would mean information that identified an individual, including his or her driver identification number, name, address not including zip code, and telephone number, but not information on watercraft operation and equipment-related violations or civil infractions, operator or vehicle registration status, accidents, or other behaviorally-related information.)
- Permitting the Secretary of State to disclose, under certain circumstances, personal information to various Federal, State, or local governmental agencies and specific private persons or entities.
- Permitting an authorized recipient of personal information to resell or redisclose it for a permitted use; and requiring the recipient to keep for at least five years records that identified who received the information and the use for which it was obtained.
- Permitting the Secretary of State to furnish a list of information from the records maintained under the Act to a Federal, State, or local governmental agency, and to charge a preparation fee if costs exceeded \$25.
- Permitting the Secretary of State to contract for the bulk sale of the lists of records maintained under the Act for permitted purposes as well as for surveys, marketing, and solicitations.
- Requiring the Secretary of State, before selling or furnishing lists of information for surveys, marketing, and solicitations, to inform persons of their right to prohibit the disclosure of personal information.
- Establishing felony penalties for making a false representation or certification to obtain personal information or using the information for nonpermitted purposes.

MCL 324.80104 et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

In FY 1996-97, the sale of records by the Department of State generated \$27.1 million. A small portion of that amount relates to ORVs, snowmobiles, and watercraft.

Date Completed: 7-2-97
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Fiscal Analyst: B. Bowerman

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.